

1  
2  
3  
4  
5 IN THE UNITED STATES DISTRICT COURT  
6  
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
8

9 UNITED STATES OF AMERICA,

No. CR-08-0200 MMC

10 Plaintiff,

**ORDER DENYING DEFENDANT'S  
MOTION FOR RECONSIDERATION**

11 v.

12 PARIS MOFFETT,

13 Defendant.  
14 \_\_\_\_\_/

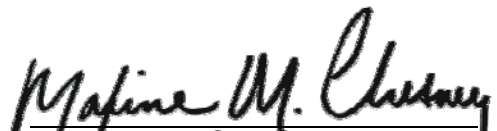
15 Before the Court is defendant Paris Moffett's ("Moffett") motion titled "Action under  
16 Fed. R. Civ. Proc. 59(e)," filed September 26, 2011, by which filing Moffett seeks  
17 reconsideration of the Court's September 16, 2011 order denying his motion titled  
18 "Innocence Warrants Relief under 28 U.S.C. § 2241 and/or Fed. R. Civ. P. 60(b)(3)."

19 Having read and considered the instant motion, the Court hereby DENIES the  
20 motion for the reason that Moffett fails to identify any cognizable basis for reconsideration  
21 of the Court's September 16, 2011 order.

22 Lastly, to the extent Moffett may seek to appeal the instant order, a certificate of  
23 appealability is hereby DENIED, for the reason that Moffett has not made a "substantial  
24 showing of the denial of a constitutional right." See 28 U.S.C. § 2253(c)(2).

25 **IT IS SO ORDERED.**

26  
27 Dated: November 17, 2011

28  
  
MAXINE M. CHESNEY  
United States District Judge